

Start With *the Person*

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Although dentists are trained to treat the oral cavity, this treatment, in fact, begins with the patient. Informed

consents are not just sheets of paper to be signed quickly, they are an invaluable tool in obtaining information from your patients on their current health history (prescriptions, OTC medications, known allergies, blood pressure and pulse, as well as any recent procedures.) By spending a few minutes prior to proceeding with treatment, you will be astonished as to what you thought you knew about your patient but were wrong!

This simple yet critical process is the basis for every treatment you, as a dentist, propose, recommend, and perform. By providing adequate information and allowing time for feedback and clarification, patient expectations can be managed, and the patient is able to make a decision to proceed or not proceed with treatment. This creates patient autonomy and reduces the malpractice gap.

Universal Concepts of a Good Informed Consent

1. Patient name and date
2. Treatment recommended
3. Benefit of treatment
4. Possible and probable complications

Possible issues are uncommon but occur with enough frequency to be discussed, such as paresthesia of the inferior alveolar nerve. Probable issues happen all the time and are expected to be seen as part of the

procedure, such as post-operative bleeding or pain.

5. Treatment alternatives and risks
6. Approximate duration of treatment

Example: When recommending an extraction and implant placement, review with the patient how long the process will take until they have the final restoration. Are you treating in phases—extraction with grafting; then implant placement and integration; then final restoration? Will this process be three-to-four months or will it take 12 months? These answers depend on the patient and the situation; be sure to let the patient know upfront.

7. Risks of no treatment; what if nothing is done?

It is customary to have the patient sign and date the form at the bottom. In addition, it is recommended that you have a statement that the form was reviewed and discussed, alternative treatment was discussed, no dental treatment is risk free, and that the doctor/dentist has answered all questions to the patient's satisfaction. Consider a statement that the patient has provided an accurate and complete medical history including medications and known allergies. Finally, a statement that they elect and wish to proceed with treatment.

Who may and may not give consent?


- A legally competent adult may give consent. This is generally considered an individual who makes an appointment and keeps the appointment.
- A minor cannot give consent. The age of majority is 18 years old. However, an emancipated minor who is at least

15 years of age, living separate from their parent(s) or guardian and managing their own financial affairs may give consent.

- In the case of a divorce, the individual who is entitled to make healthcare decisions should give consent. This may not necessarily be the parent the patient is living with or the parent who brings the patient to the appointment.
- An individual who has Medical Durable Power of Attorney may give consent.
- A court-appointed guardian may give consent.

Develop a good relationship with your patients, treating each patient as though they were your favorite family member. Having informed consent from a patient helps establish that risks were discussed and accepted by the patient. However, informed consent does not release the dentist from liability, negligence or coercion.

Well written and organized records are the best defense to a malpractice claim and the right way to treat your patients. You may access samples of Informed Consent Forms at tdplt.com in the "resources" section.

A good rule of thumb: Do not perform a procedure on a patient that you would not consider performing on that favorite family member! 

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